

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2005 PLANNING COMMISSION MEETING

P.A.S.: Special Permit #1006F - Forest Lake Estates Community Unit Plan

PROPOSAL: Amend the CUP to allow a reduction in the front yard setback from 22' to 20' 9" for Lot 9, Block 1, Forest Lake Estates 9th Addition

LOCATION: 6833 Forest Lake Blvd (South 70th Street & Forest Lake Blvd)

WAIVER REQUEST:

Reduce the front yard setback.

CONCLUSION: The reduction in the front yard to allow an addition onto the home is not significant and should not negatively impact other properties in the neighborhood.

RECOMMENDATION:

Waiver to front yard setback from 22' to 20' 9"

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached ownership certificate.

EXISTING ZONING: R-2 Residential with community unit plan (CUP)

EXISTING LAND USE: Single family dwelling

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-2
South:	Residential	R-2
East:	Outlot for open space	R-2
West:	Residential	R-2

HISTORY:

- July 13, 1992** SP#1006E was approved adjusting the setbacks (front 22', and side and rear to 2') for those lots north of Forest Lake Blvd, east of South 69th Street, and west of South 70th Street.
- April 27, 1992** SP#1006D was approved increasing the number of dwelling units from 15 to 16 for the area approved by SP#1006C.
- April 9, 1991** SP#1006C was approved allowing 15 dwelling units for that area at the southwest corner of the community unit plan (CUP) where the homes are adjacent to Forest Lake Blvd and Forest Lake Place.
- December 6, 1985** SP#1006B was approved for 35 units at the northeast corner of the CUP.
- October 31, 1984** SP#1006A was approved reducing the number of townhouse units from 75 to 46 for that portion of the CUP adjacent to the lake.
- March 28, 1983** SP#1006 approved the Forest Lake Estates CUP for up to 140 townhouse units.

COMPREHENSIVE PLAN SPECIFICATIONS: This area is shown as Urban Residential in the 2025 Comprehensive Plan (Page F-25).

ANALYSIS:

1. The applicant is proposing to enclose the existing garage and build an addition which will serve as the new garage. It is a portion of the proposed addition that encroaches into the required front setback.
2. This request is to reduce the rear yard setback from 22' to 20' 9" for Lot 9, Block 1.
3. The adjustment is not requested for the entire frontage along Forest Lake Blvd, but only for a portion of the lot. As shown on the site plan, an approximately 10' long, triangular-shaped portion of the east half of the addition encroaches into the required 22' front setback. At the widest point, the encroachment is 1' 3".
4. The lot is irregular because of both the street's diagonal orientation, and because the street makes a slight bend in front of Lot 9 to provide adequate depth for the lot across the street.

5. This lot is adjacent to Outlot A to the east, an open green space that cannot be developed. The outlot is owned is by the homeowners association.
6. Reductions in required yard setbacks are commonly requested and granted as part of CUP's. The most recent amendment, SP#1006E, was an amendment to adjust front, rear and side setbacks and was approved. The property most impacted by the reduction is an outlot, not an adjacent dwelling. The overall impact of the setback adjustment upon the neighborhood is negligible.

CONDITIONS:

Site Specific:

1. This approval permits a reduction in the front yard setback for the addition as shown on the approved site plan.
2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 2.1.1 Submit documentation showing that the Forest Lake Estates 9th Addition Homeowners Association does not object to this application.
 - 2.2 The construction plans comply with the approved plans.

Standard:

3. The following conditions are applicable to all requests:
 - 3.1 Before occupying this addition all development and construction is to comply with the approved plans.
 - 3.2 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

- 3.4 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans for this lot, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will
Planner
March 1, 2005

**APPLICANT/
CONTACT:**

Dennis Moore
Brown Architecture and Design
3624 Farnam Street
Omaha, NE 68131
(402) 342-5575

OWNER:

Duane and Juliane Thomas
6833 Forest Lake Blvd
Lincoln, NE 68516



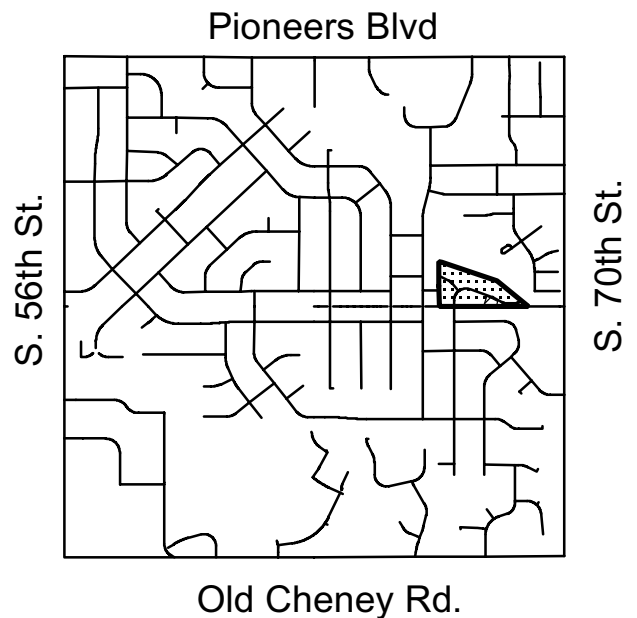
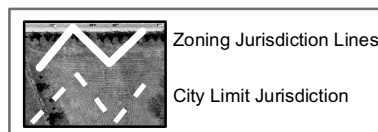
2002 aerial

Special Permit #1006F S. 70th & Forest Lake Blvd

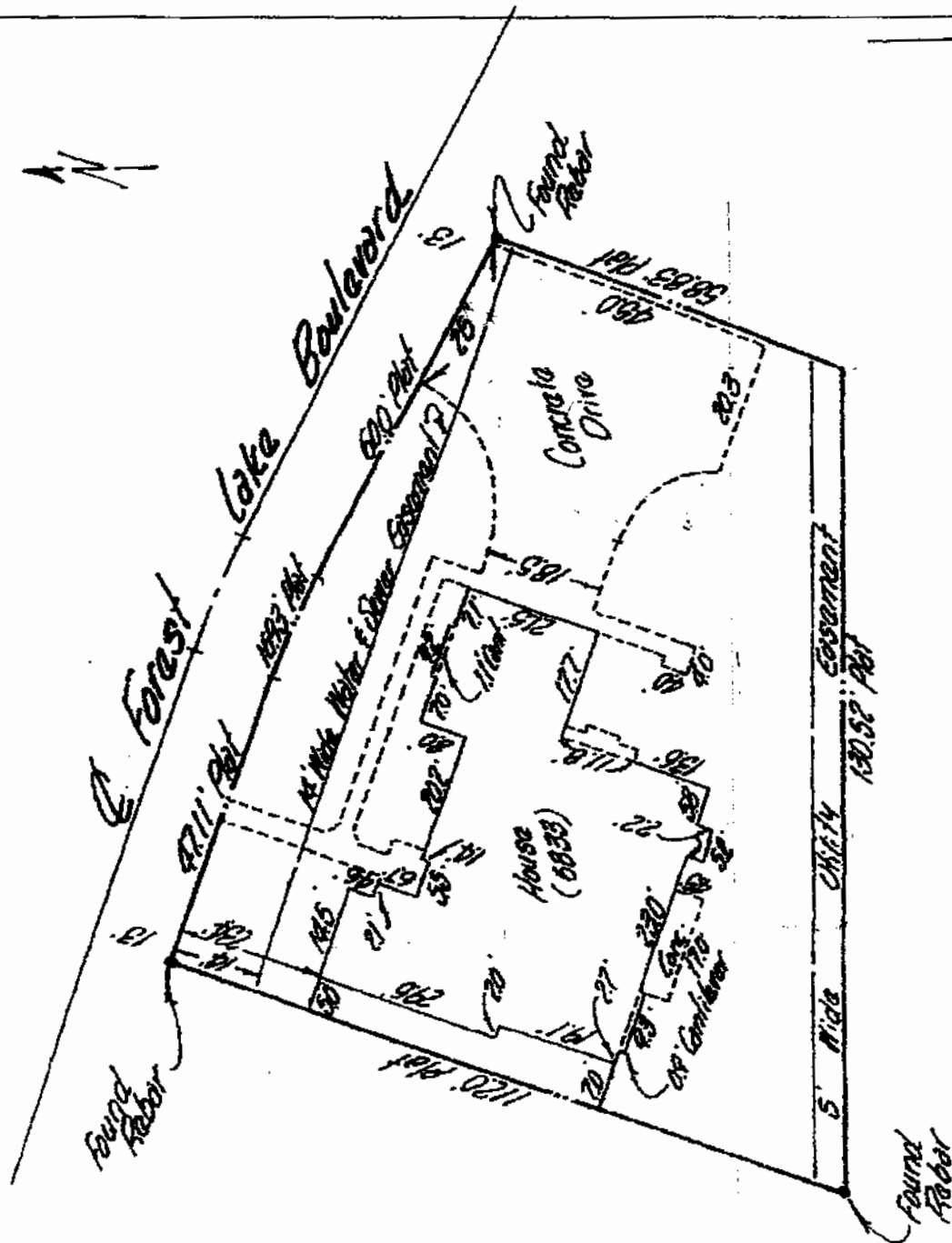
Zoning:

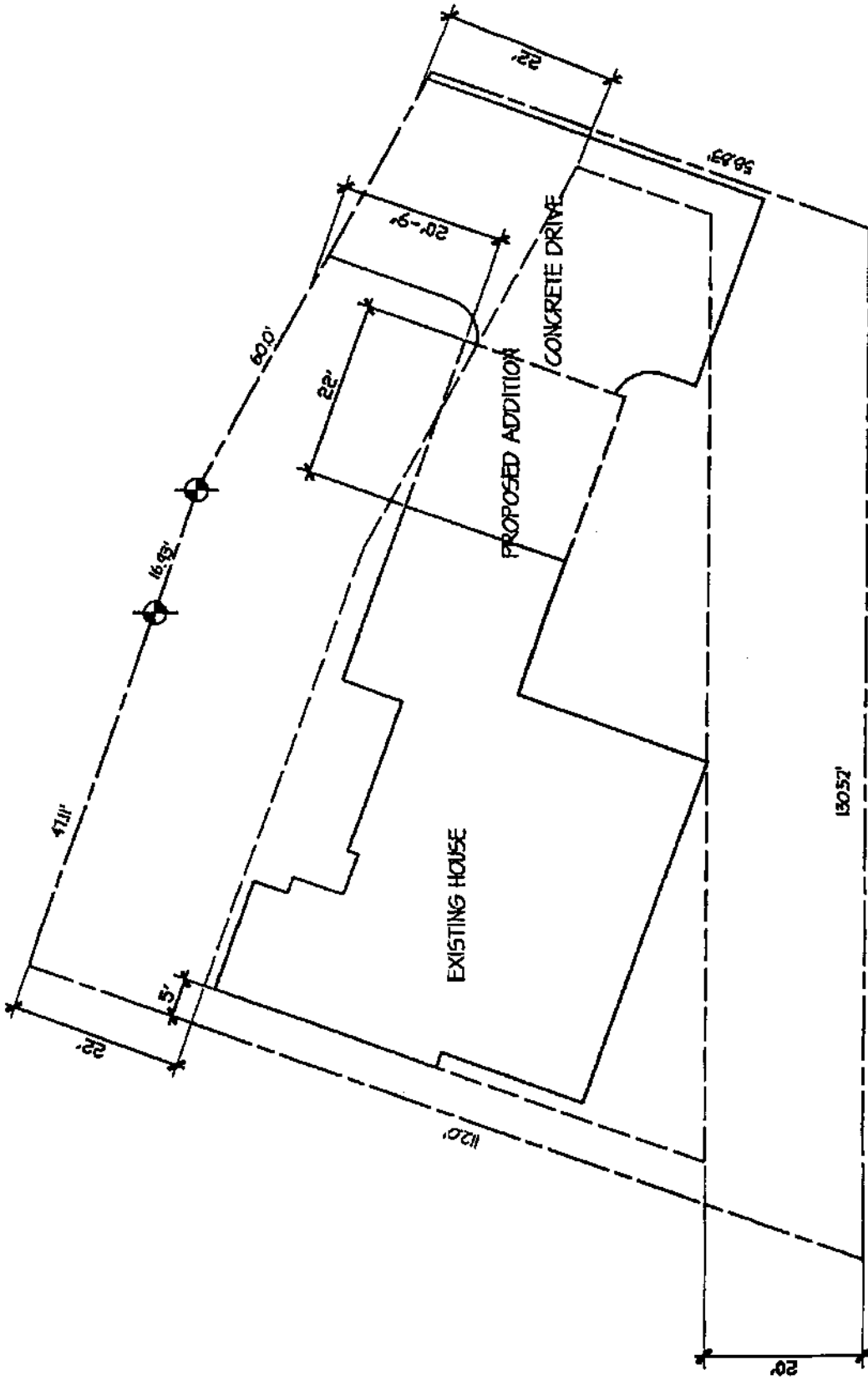
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 9 T9N R7E



This property appears to be located in ZONE "C" on Flood Rate Map, Community #315273, Panel #37, Revised 3-18-1986 and does not appear to be in the 100 year flood plain.

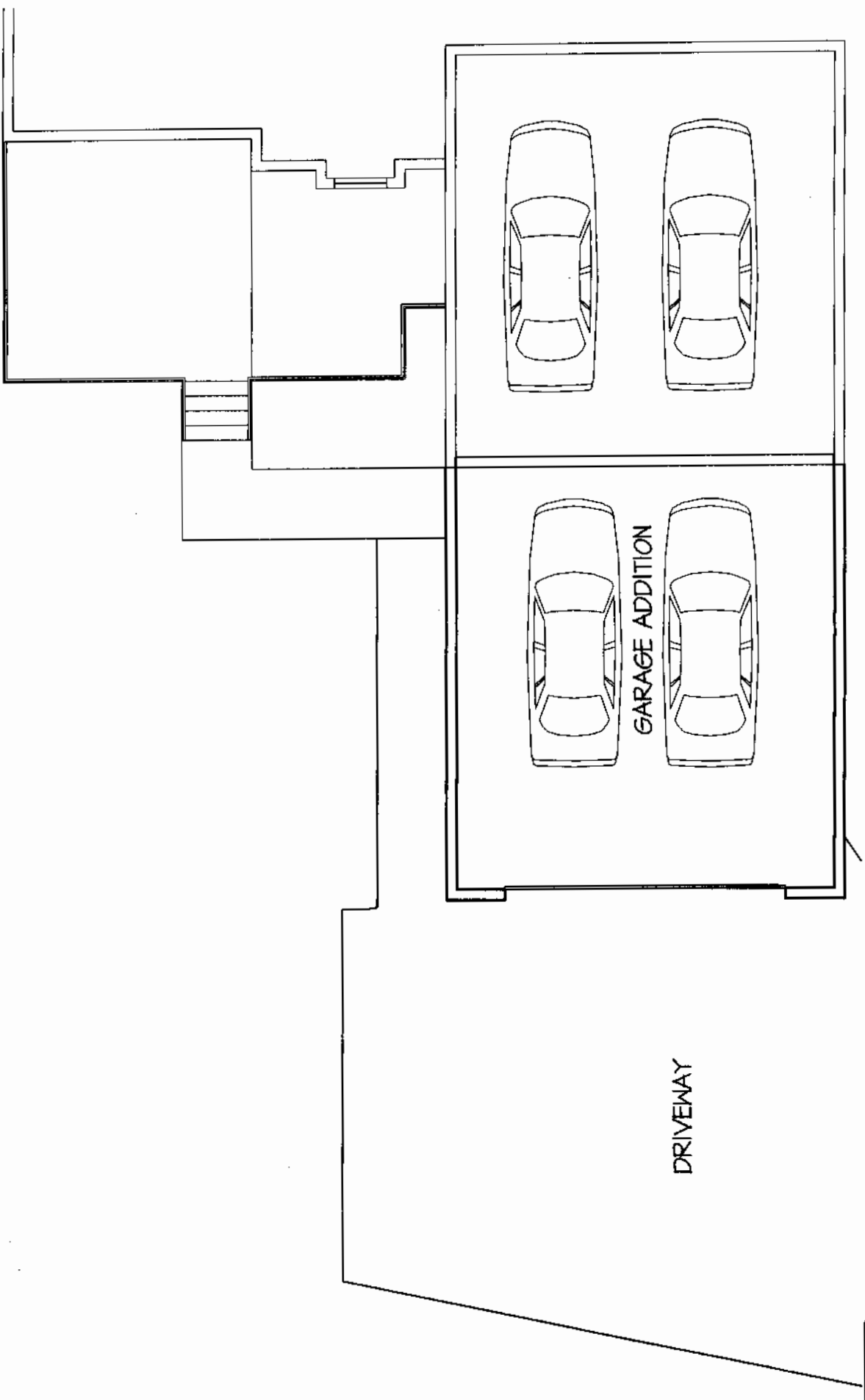




SITE PLAN
SCALE: 1"=20'



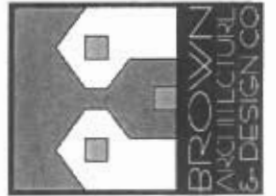
GARAGE ADDITION (OPTION A)
Scale: 1/8" = 1'-0"

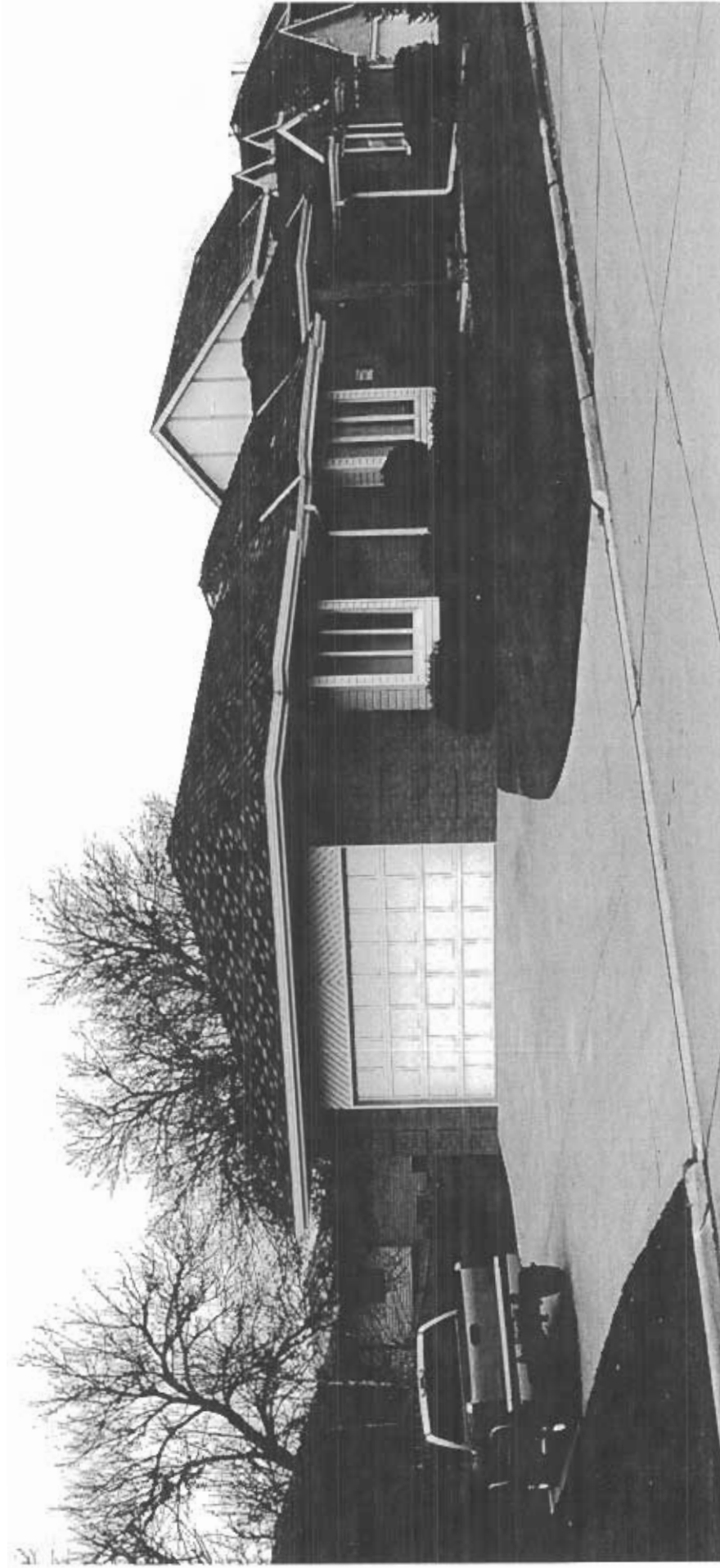




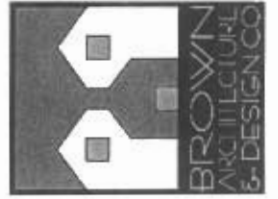
THOMAS RESIDENCE GARAGE ADDITION

EXISTING HOUSE





THOMAS RESIDENCE GARAGE ADDITION





BROWN
ARCHITECTURE
& DESIGN CO.

January 18, 2005

City of Lincoln Planning Department
555 S. 10th Street Rm. 213
Lincoln, NE 68508

To Whom it May Concern:

We are requesting on behalf of our clients Duane and Julaine Thomas living at 6833 Forest Lake Blvd, Lincoln, NE that they be granted a waiver of the front yard setback for their property to allow for the extension of an attached garage.

The extent of the proposed encroachment is indicated on the site plan of the subject property submitted with the City of Lincoln Zoning Application.

Thank you for your consideration.

Sincerely,

Dennis Moore
Senior Project Architect

3624 Farnam St.
Omaha, NE
68131

P 402 342,5575

F 402 342 5577

W www.badco.com

OWNERSHIP CERTIFICATE

FILE NO: 6019493

TO: Duane Thomas

Nebraska Title Company, authorized to engage in the business of abstracting in the State of Nebraska under Certificate of Authority No. 56, hereby certifies that the records of LANCASTER County, Nebraska have been carefully examined with referenced to the following described property, and from such examination finds as follows:

LEGAL DESCRIPTION:

Lot Nine (9), Block One (1), Forest Lake Estates 9th Addition, Lincoln, Lancaster County,
Nebraska

Address: 6833 Forest Lake Blv, Lincoln, NE 68516

OWNER OF RECORD:

Duane L. Thomas and Julaine Thomas, husband and wife

Effective Date: February 2, 2005 at 8:00 am

Nebraska Title Company

By: 
Vice-President
Registered Abstractor

Please direct inquiries to: Joan Journey

FEB 10 2005